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State Board of Health—Organization. (Ch. 192, Act Mar. 16, 1916.)

1. That section 1 of an act entitled an act to amend and reenact sections 1, 2, 3, and 4 of an act entitled an act providing for the appointment of a State board of health and of local boards of health, defining the duties and powers and compensation thereof, and of the members, officers, and agents in connection with the preservation of public health; and prescribing penalties against witnesses failing to obey subpoenas issued by said State board of health, or any authorized member thereof, for refusing to testify or otherwise acting in contempt of said State board or its duly authorized members, approved March 7, 1900 (section 173*d*, code of 1904); to repeal sections 1714, 1715, 1716, 1717, and 1718 of the Code of Virginia, 1887, and all other acts and parts of acts in conflict herewith; to provide for the appointment of a health commissioner and assistants, to define their duties, to provide for their compensation, and to appropriate money to carry the provisions of this act into effect, approved March 14, 1908, to be amended and reenacted so as to read as follows:

SECTION 1. On and after the 1st day of July, 1908, the State board of health shall consist of 12 members appointed by the governor, who shall be members of the State medical society, one of whom shall be chosen from each congressional district in the State, and in addition two from the city of Richmond. These members shall hold office for the period of one, two, three, and four years, respectively, as may be determined by lot after their appointment, and thereafter there shall be annually appointed three members to serve for the term of four years, respectively.

In addition to the members above mentioned, two residents from the State at large shall be appointed for a term of four years, one of whom shall be a member of the State dental association.

The board shall meet annually in the city of Richmond and at such other times and places as they may determine. They shall elect from their number a president and secretary, who shall perform the usual duties of such offices, in addition to the particular duties prescribed by law. The board may adopt by-laws for their government and may make such rules and regulations not inconsistent with law as they may deem proper. Five members shall constitute a quorum for the transaction of any lawful business.

Common Towels—Prohibited in Public Lavatories. (Ch. 160, Act Mar. 11, 1916.)

1. That it shall be unlawful for any person, firm, or corporation to use, permit to be used, or place for use roller towels or other towels used in common in any public lavatory, in any building, or in any railway train or steamboat.

2. Any person, firm, or corporation violating the provisions of this act shall be guilty of a misdemeanor, punishable by a fine of not less than \$5 nor more than \$100 for each offense.

Water Supplies—Supervision and Control by State Board of Health. (Ch. 360, Act Mar. 20, 1916.)

1. That the term "waterworks," whenever used in this act, shall be construed to mean and include all structures and appliances used in connection with the collection, storage, purification, and treatment of water for drinking or domestic use and the distribution thereof to the public or more than 25 individuals, except only the piping and fixtures inside the buildings where such water is delivered. The term "water supply," whenever used in this

act, shall be construed to mean and include water that shall have been taken into waterworks as hereinbefore defined from all streams, springs, lakes, and other bodies of surface water, natural or impounded, and the tributaries thereto, and all impounded ground water: *Provided*, That nothing in this act shall be held to apply to any waters above the point of intake of such waterworks.

2. The State board of health shall have general supervision and control, in accordance with the provisions of this act, over all water supplies and waterworks in the State in so far as the sanitary and physical quality of waters furnished may affect the public health or comfort.

3. Said board may cause examination of such water supplies to be made to ascertain their purity and fitness for drinking or domestic use or their liability to impair the public health.

4. Said board shall, when requested, consult with and advise the authorities of cities and towns and persons having or intending to have waterworks installed as to the most appropriate source of water supply and the best method of assuring its purity, without any expense to such authorities or persons; but said board shall not prepare plans, specifications, or detailed estimates for any proposed improvement.

5. No individual, firm, institution, corporation, or municipal corporation shall supply water for drinking or domestic purposes to the public within the State from or by means of any waterworks that shall hereafter be constructed or extended, either in whole or in part, without a written permit from the State board of health for the supplying of such water; except that this provision shall not apply to the extension of water pipes for the distribution of water. The application for such a permit shall be accompanied by a certified copy of the maps, plans, and specifications for the construction of such waterworks or extensions, and a description of the source or sources from which it is proposed to derive the supply and the manner of storage, purification, or treatment proposed for the supply previous to its delivery to consumers; and no other or additional source of supply shall subsequently be used for any such waterworks, nor any change in the manner of storage, purification, or treatment of the supply be made without an additional permit to be obtained in a similar manner from the State board of health. Whenever application shall be made to the State board of health for a permit under the provisions of this section it shall be the duty of said board to examine the application without delay, and as soon as practicable thereafter to issue said permit if, in its judgment, the proposed supply appears not to be prejudicial to the public health, or to make an order stating the conditions under which said permit will be granted.

6. Whenever an investigation of any water supply or waterworks within the boundaries of the State is undertaken by the State board of health to ascertain the purity or fitness of the water furnished to the public for drinking or domestic purposes, it shall be the duty of the individual, firm, institution, corporation, or municipal corporation having in charge the water supply or waterworks under investigation to furnish, on demand, to the State board of health, or the authorized agent of said board, such information relative to the source or sources from which the said supply is derived, and the manner of storage, purification, or treatment of the water before its delivery to the consumers, as may be necessary or desirable for the determination of its sanitary or physical quality. In making said investigation authorized agents of said board shall be allowed to enter any premises or buildings constituting a part of a water supply or waterworks for the purpose of inspecting same and ascertaining whether orders, as provided for under this act, are obeyed.

7. When, upon investigation, the State board of health finds that a water supply furnished to the public for drinking or domestic purposes is a menace to health, said board is hereby given authority to make an order requiring such changes in the source or sources of said water supply or such alterations or extensions in the waterworks as said board may deem necessary. Said board shall name in its order such date for the completion of the works as said board may deem reasonable and proper, and it shall be the duty of the individual, firm, institution, corporation, or municipal corporation having in charge such water supply or waterworks to fully comply with said order within the time prescribed. As soon as said order of the State board of health, or the modified form of the order of the court, as hereinafter provided for, shall have been shown, upon investigation, to have been complied with fully, said board shall issue a written permit to the individual, firm, institution, corporation, or municipal corporation to furnish water to the public for drinking or domestic purposes.

8. Every permit issued by the State board of health under this act shall be revocable at any time it is shown by investigation that the waterworks can no longer be depended upon to furnish a water safe for drinking or domestic use, or that the capacity of said waterworks is inadequate for the purpose of furnishing water safe for drinking or domestic use, provided that a written notice is sent by said board to the individual, firm, institution, corporation, or municipal corporation in charge, together with an order requiring such changes in the water supply or waterworks as, in its judgment, may be necessary to safeguard the public health. Any permit issued by the State board of health may be specified to run a certain definite period, and said permit shall become inoperative at the expiration of the period of time without notice to that effect having been given by the State board of health.

9. Whenever the board shall issue an order to an individual, firm, institution, or corporation under the provisions of this act said board shall appoint a time and place within the county, city, or town where such waterworks exist for a hearing on the subject, said hearing to be not less than two nor more than six months from the entry of such order. At such a hearing the State board of health shall attend in person or shall depute a committee of said board to attend or shall authorize the State health commissioner to act for and in the name of said board touching said hearing. At any such hearing all persons interested may appear and be heard and may present the testimony of expert and other witnesses, and said board may hear witnesses called upon its own motion. The State board of health shall have power to issue, in the name of the board, subpoenas for the attendance of witnesses and the production of books, papers, and maps relative to the sources of the water supply and the manner of storage, purification, or treatment of said supply before its delivery to the public, at any hearing before said board in any part of the State, as provided by law. The officer of said board presiding at any hearing shall have power to administer oaths and certify to all official acts of the board. After such hearings said board shall issue such final order as, in its judgment, may be required to protect the public health, and notice of said final order shall be sent to all parties concerned.

10. Any individual, firm, institution, or corporation dissatisfied with such order or final order of, or by the granting or refusal to grant any permit by the State board of health, or believing that such order granting or refusal to grant such permit to be illegal or unreasonable or that said order is not necessary for the protection of the public health, may, within 30 days after the making of said order or final order or the granting or refusal to grant such permit, appeal to any court of competent jurisdiction, and the said court shall

render a decision approving, setting aside, or modifying the said order or final order or stating the conditions for the granting of said permit.

11. Failure on the part of an individual, firm, institution, or corporation to obtain a written permit from the State board of health, as provided for under 5, or to comply fully with an order issued by said board, under the provisions of this act shall be deemed a misdemeanor and punishable by a fine of not less than \$20 nor more than \$100 for each offense, each day in which such failure is made being considered to constitute a separate offense. All penalties under this act are to be recovered by the State in civil action brought by the attorney general in the name of the Commonwealth.

12. Any municipal corporation disobeying any order duly issued by the State board of health, under the provisions of this act, may be compelled to obey same by mandamus or other appropriate remedy by any court of competent jurisdiction.

13. In all actions and proceedings for the enforcement of orders of the State board of health, under the provisions of this act, the attorney general shall represent the said board, except in proceedings to which the State or any of its public institutions is a party defendant, and in such cases the board is authorized to employ special counsel.

14. Any provisions in any charter heretofore granted to any person, company, institution, corporation, or municipal corporation in conflict with the provisions of this act are hereby repealed.

Schools—Construction of Privies—Drinking Fountains or Individual Drinking Cups Required. (Reg. Bd. of H., Aug. 24, 1916.)

No county school board or district school trustees shall authorize or permit the opening of any public school in the Commonwealth, and no president, principal, board of trustees, or other responsible head of any private school of any description in the Commonwealth shall authorize or permit the opening of any such school in the Commonwealth of Virginia for the session of 1916-17 until said school shall have been provided with two sanitary privies, one for females and one for males, each of which privies shall be so constructed that the contents thereof shall not be accessible to flies and can not endanger any source of water supply.

Nor shall any county school board or district school trustees authorize or permit the opening of any public school in the Commonwealth, or any president, principal, board of trustees, or other responsible head of any private school of any description authorize or permit the opening of any such school in the Commonwealth of Virginia for the session of 1916-17 until said school shall have been provided with a sanitary drinking fountain of a type approved by this board, or shall have required the public [sic] of such school to have and to use individual drinking cups or glasses.